



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

TERSTAPPEN Leon, RAO Galla Chandra,
O'HARA Shawn Mark, LIBERTI Paul,
GROSS Steven, and DOYLE Gerald

Serial No. 10/079,939

Filed: 02/19/2002

For: METHODS AND REAGENTS FOR
THE RAPID AND EFFICIENT
ISOLATION OF CIRCULATING
CANCER CELLS

Examiner: Misook Yu

Group Art Unit: 1642

Response to 10/06/2004 O.A.

Our File No.: IMMC 304
(was Immu.Rapid)

AMENDMENTS

In response to the Office Action dated 10/06/2004, please amend the above-identified application as follows:

In the Claims:

(Amended) 1. A method for assessing a patient for the presence of a malignancy, comprising:

- a) obtaining a biological specimen from a patient, said specimen comprising a mixed cell population suspected of containing hematopoietic and non-hematopoietic malignant cells;
- b) preparing a sample wherein said biological specimen is mixed with a detectably labeled [ligand] EpCAM antibody which reacts specifically with the malignant cells, to the substantial exclusion of other sample components;
- c) contacting said sample with at least one reagent which also specifically labels said malignant cells;
- d) analyzing said sample to determine the presence and number of labeled cells, detection of said cells indicating the presence of malignancy, the greater the number of cells present, the greater the severity of the malignancy; wherein the method further comprises